



Reprinted
February 18, 2014

ENGROSSED SENATE BILL No. 329

DIGEST OF SB 329 (Updated February 17, 2014 2:45 pm - DI 120)

Citations Affected: IC 25-20.2.

Synopsis: Home inspections. Requires attic spaces, and basements or crawl spaces to be inspected during a home inspection. Provides that a home inspection report must include a statement that the home inspector has checked for the existence of a carbon monoxide detector. If no carbon monoxide detector is present, the home inspection report must include consumer information pertaining to the installation of carbon monoxide detectors.

Effective: July 1, 2014.

Rogers, Head, Randolph
(HOUSE SPONSORS — NIEMEYER, PRYOR)

January 14, 2014, read first time and referred to Committee on Local Government.
January 30, 2014, amended, reported favorably — Do Pass.
February 3, 2014, read second time, ordered engrossed. Engrossed.
February 4, 2014, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 10, 2014, read first time and referred to Committee on Commerce, Small Business and Economic Development.
February 13, 2014, amended, reported — Do Pass.
February 17, 2014, read second time, amended, ordered engrossed.

ES 329—LS 6111/DI 109



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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 329

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-20.2-2-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. "Home inspection"
3 means a visual analysis for the purpose of providing a professional
4 opinion of the condition of a residential dwelling and the dwelling's
5 carports or garages, any reasonably accessible installed components,
6 and the operation of the dwelling's systems, including any controls
7 normally operated by the owner of the dwelling, for the following
8 components:
9 (1) Heating systems.
10 (2) Cooling systems.
11 (3) Electrical systems.
12 (4) Plumbing systems.
13 (5) Structural components.
14 (6) Foundations.
15 (7) Roof coverings.
16 (8) Exterior and interior components.

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1 **(9) Attic spaces.**

2 **(10) Basement or crawl space, if any.**

3 ~~(9)~~ **(11)** Any other site aspects that affect the residential dwelling.

4 The term does not include a code compliance inspection.

5 SECTION 2. IC 25-20.2-2-7 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. "Home inspection
7 report" means a legibly written report prepared for compensation and
8 issued after a home inspection. The report must include the following:

9 (1) A report on any system or component inspected that, in the
10 professional opinion of the inspector, is significantly deficient or
11 near the end of the system or component's service life. A report
12 under this subdivision must include the reason why the system or
13 component is significantly deficient or near the end of the system
14 or component's service life, unless the reason is self-evident.

15 (2) The inspector's recommendation to remedy or monitor a
16 deficiency reported under subdivision (1).

17 (3) A list of any systems or components that were designated for
18 inspection in the standards of performance adopted by the board
19 but that were not inspected.

20 (4) The reason a system or component listed under subdivision (3)
21 was not inspected.

22 (5) A statement that the report does not address environmental
23 hazards, including:

24 (A) lead-based paint;

25 (B) radon;

26 (C) asbestos;

27 (D) cockroaches;

28 (E) rodents;

29 (F) pesticides;

30 (G) treated lumber;

31 (H) mold;

32 (I) mercury;

33 (J) carbon monoxide; or

34 (K) other similar environmental hazards.

35 (6) A statement that the report does not address wood destroying
36 insects and organisms.

37 (7) A statement that the report does not address subterranean
38 systems or system components (operational or nonoperational),
39 including:

40 (A) sewage disposal;

41 (B) water supply; or

42 (C) fuel storage or delivery.



1 **(8) A statement that the home inspector has checked for the**
2 **existence of a carbon monoxide detector. If no carbon**
3 **monoxide detector is present, the home inspector must include**
4 **in the report consumer information pertaining to the**
5 **installation of carbon monoxide detectors.**



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 329, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 1 and 2, begin a new line block indented and insert:

"(10) Basement or (if applicable) crawl space."

Page 2, line 2, delete "(10)" and insert "(11)".

Page 2, delete lines 4 through 37.

and when so amended that said bill do pass.

(Reference is to SB 329 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred Senate Bill 329, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, delete "(if applicable)".

Page 2, line 2, delete "." and insert ", **if any**".

and when so amended that said bill do pass.

(Reference is to SB 329 as printed January 31, 2014.)

MESSMER, Chair

Committee Vote: yeas 11, nays 0.



HOUSE MOTION

Mr. Speaker: I move that Senate Bill 329 be amended to read as follows:

Page 2, line 4, after "." begin a new paragraph and insert:

"SECTION 2. IC 25-20.2-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. "Home inspection report" means a legibly written report prepared for compensation and issued after a home inspection. The report must include the following:

- (1) A report on any system or component inspected that, in the professional opinion of the inspector, is significantly deficient or near the end of the system or component's service life. A report under this subdivision must include the reason why the system or component is significantly deficient or near the end of the system or component's service life, unless the reason is self-evident.
- (2) The inspector's recommendation to remedy or monitor a deficiency reported under subdivision (1).
- (3) A list of any systems or components that were designated for inspection in the standards of performance adopted by the board but that were not inspected.
- (4) The reason a system or component listed under subdivision (3) was not inspected.
- (5) A statement that the report does not address environmental hazards, including:
 - (A) lead-based paint;
 - (B) radon;
 - (C) asbestos;
 - (D) cockroaches;
 - (E) rodents;
 - (F) pesticides;
 - (G) treated lumber;
 - (H) mold;
 - (I) mercury;
 - (J) carbon monoxide; or
 - (K) other similar environmental hazards.
- (6) A statement that the report does not address wood destroying insects and organisms.
- (7) A statement that the report does not address subterranean systems or system components (operational or nonoperational), including:
 - (A) sewage disposal;
 - (B) water supply; or



(C) fuel storage or delivery.

(8) A statement that the home inspector has checked for the existence of a carbon monoxide detector. If no carbon monoxide detector is present, the home inspector must include in the report consumer information pertaining to the installation of carbon monoxide detectors."

Renumber all SECTIONS consecutively.

(Reference is to ESB 329 as printed February 14, 2014.)

DERMODY

